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IN THE UNITED STATES DISTRICT COURT FOR  
SOUTHERN DISTRICT OF NEW YORK  
(FOLEY SQUARE-DIVISION)

**JUAN TACURI**

**Defendant,**

v.

**Case No.1:22-cr-00622-AT-2**

**(Honor. Analisa Torres)**

**UNITED STATES OF AMERICA**

**Respondent.**

**MOTION TO SUBSTITUTE AND REMOVE ATTORNEY BY DEFENDANT**

NOW BEFORE THE COURT comes JUAN TACURI, and moves as follows:

Petitioner prays that this Motion be liberally construed and held to a standard “less stringent than those drafted by Attorneys.” Haines v. Kerner, 404 U.S. 519, 520 (SCOTUS 1972); See also Ayala Serrano v. Gonzalez, 909 F.2d 8, 15 (1st Cir.) 1991). According to Rule 56(a) of the Federal Rules of Civil Procedures, a Movant may move for any claim if he shows that there is no general dispute as to any material fact and that he is entitled to judgement as a matter of law.

1.

Petitioner is presently represented in this matter by attorney Frank J. Gaviria. Petitioner wishes to allow his present counsel to withdraw from the Court, as Petitioner is not satisfied with this Attorney's performance and legal representation. Specifically Petitioner Considers its Counsel Mr. Gaviria was Ineffective in his Constitutional Defense and Counseling that prejudice him and rendered in Petitioner high sentence.

2.

**Petitioner therefore moves to substitute counsel, relieving attorney Frank J. Gaviria. Petitioner do not want any more participation or representation from this Attorney. Petitioner sent letter of contract termination to this attorney (Please See Attachment).**

**WHEREFORE PLAINTIFF PRAYS that this Honorable Court grant his motion to substitute counsel, allowing attorneys Frank J. Gaviria to be removed from his case.,**

Respectfully Submitted,



**Juan Tacuri**  
Register No.36063-510  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, NY 11232

On November 6, 2024, the Court granted Frank Gaviria's motion to withdraw as counsel for Defendant. ECF No. 130. That same day, Mr. Gaviria was terminated from the docket. Accordingly, the Clerk of Court is respectfully directed to terminate the motion at ECF No. 137, and to mail a copy of this order and the order at ECF No. 130 to Defendant *pro se*.

SO ORDERED.

Dated: November 14, 2024  
New York, New York



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**ANALISA TORRES**  
United States District Judge